

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

ORDER OF JUDICIAL REMOVAL

- against -

SERGIO ZAZUETA OCHOA,

Criminal Docket No. 23 Cr. 416 (AS)

Defendant.

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Upon the application of the United States of America, by Margaret Emma Lynaugh, Assistant United States Attorney, Southern District of New York; upon the Factual Allegations in Support of Judicial Removal; upon the consent of Sergio Zazueta Ochoa (the “defendant”); and upon all prior proceedings and submissions in this matter; and full consideration having been given to the matter set forth herein, the Court finds:

1. The defendant is not a citizen or national of the United States.
2. The defendant is a citizen and native of Mexico.
3. On or about May 31, 2023, the defendant was admitted to the United States as a nonimmigrant temporary visitor for pleasure with authorization to remain in the United States for a temporary period not to exceed November 30, 2023.
4. The defendant remained in the United States beyond November 30, 2023 without authorization from the Immigration and Naturalization Service or its successor, the United States Department of Homeland Security.
5. At the time of sentencing in the instant criminal proceeding, the defendant will be convicted in the United States District Court, Southern District of New York, of the

following offense: Conspiracy to Distribute Narcotics in violation of 21 U.S.C. §§ 841(b)(1)(C) and 846.

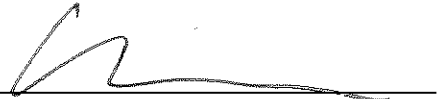
6. A total maximum sentence of twenty years imprisonment may be imposed for the above-mentioned offense.
7. The defendant is, and at time of sentencing will be, subject to removal from the United States pursuant to: (1) Section 237(a)(1)(B) of the Immigration and Nationality Act of 1952, as amended, (the "Act"), 8 U.S.C. § 1227(a)(1)(B), as a noncitizen who, after admission as a nonimmigrant under Section 101(a)(15) of the Act, remained in the United States for a time longer than permitted, in violation of the Act or any other law of the United States; (2) Section 237(a)(2)(A)(i) of the Act, 8 U.S.C. § 1227(a)(2)(A)(i), as a noncitizen convicted of a crime involving moral turpitude committed within five years after admission for which a sentence of one year or longer may be imposed; (3) Section 237(a)(2)(A)(iii) of the Act, 8 U.S.C. § 1227(a)(2)(A)(iii), as a noncitizen who, at any time after admission, has been convicted of an aggravated felony as defined in Section 101(a)(43)(B) of the Act, an offense relating to the illicit trafficking in a controlled substance, as described in section 102 of the Controlled Substances Act, including a drug trafficking crime, as defined in 18 U.S.C. § 924(c); (4) Section 237(a)(2)(A)(iii) of the Act, 8 U.S.C. § 1227(a)(2)(A)(iii), as a noncitizen who, at any time after admission, has been convicted of an aggravated felony as defined in section 101(a)(43)(U) of the Act, a law relating to an attempt or conspiracy to commit an offense described in 101(a)(43) of the Act; and (5) Section 237(a)(2)(B)(i) of the Act, 8 U.S.C. § 1227(a)(2)(B)(i), as a noncitizen who, at any time after admission, has been

convicted of a violation of (or a conspiracy or attempt to violate) any law or regulation of a State, the United States, or a foreign country relating to a controlled substance (as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802), other than a single offense involving possession for one's own use of 30 grams or less of marijuana.

8. The defendant has waived his right to notice and a hearing under Section 238(c) of the Act, 8 U.S.C. § 1228(c).
9. The defendant has waived the opportunity to pursue any and all forms of relief and protection from removal.
9. The defendant has designated Mexico as the country for removal pursuant to Section 240(d) of the Act, 8 U.S.C. § 1229a(d).

WHEREFORE, IT IS HEREBY ORDERED, pursuant to Section 238(c) of the Act, 8 U.S.C. § 1228(c), that the defendant shall be removed from the United States promptly upon his release from confinement, or, if the defendant is not sentenced to a term of imprisonment, promptly upon his sentencing, and that the defendant be ordered removed to Mexico.

Dated: 12/17, 2024  
New York, New York

  
HONORABLE ARUN SUBRAMANIAN  
UNITED STATES DISTRICT COURT JUDGE